

IN THE UNITED STATES COURT OF APPEALS  
FOR THE FIFTH CIRCUIT

United States District Court  
Southern District of Texas  
**FILED**

SEP 26 2016

David J. Bradley, Clerk of Court

No. 15-20630

D.C. Docket No. 4:13-CV-856

United States Court of Appeals  
Fifth Circuit

**FILED**

September 2, 2016

Lyle W. Cayce  
Clerk

DIAGEO NORTH AMERICA, INCORPORATED,

Plaintiff - Appellee

v.

MEXCOR, INCORPORATED; EJMV INVESTMENTS, L.L.C.,

Defendants - Appellants



Certified as a true copy and issued  
as the mandate on Sep 26, 2016

Attest: *Lyle W. Cayce*  
Clerk, U.S. Court of Appeals, Fifth Circuit

Appeal from the United States District Court for the  
Southern District of Texas, Houston

Before STEWART, Chief Judge, and PRADO and SOUTHWICK, Circuit  
Judges.

J U D G M E N T

This cause was considered on the record on appeal and was argued by  
counsel.

It is ordered and adjudged that the judgment of the District Court is  
affirmed in part and vacated in part, and the cause is remanded to the District  
Court for further proceedings in accordance with the opinion of this Court.

IT IS FURTHER ORDERED that each party bear its own costs on  
appeal.

***United States Court of Appeals***

FIFTH CIRCUIT  
OFFICE OF THE CLERK

LYLE W. CAYCE  
CLERK

TEL. 504-310-7700  
600 S. MAESTRI PLACE  
NEW ORLEANS, LA 70130

September 26, 2016

Mr. David J. Bradley  
Southern District of Texas, Houston  
United States District Court  
515 Rusk Street  
Room 5300  
Houston, TX 77002

No. 15-20630      Diageo North America, Inc. v. Mexcor,  
Incorporated, et al  
USDC No. 4:13-CV-856

Dear Mr. Bradley,

Enclosed is a copy of the judgment issued as the mandate and a copy of the court's opinion.

Sincerely,

LYLE W. CAYCE, Clerk

*Christina Gardner*

By: \_\_\_\_\_  
Christina A. Gardner, Deputy Clerk  
504-310-7684

cc: Mr. Steven Alan Fleckman  
Mr. Mark David Harris  
Mrs. Danielle Katharina Hatchitt  
Mr. Brendan Joseph O'Rourke  
Ms. Lee Popkin  
Mr. William D. Raman  
Ms. Melanie B. Rother  
Mr. Zachariah Wolfe